

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION**

JEREMY HOLLINS,
Plaintiff,

v.

THE CITY OF WEST SPRINGFIELD,
THOMAS SUDNICK, JOSEPH WOLOWICZ,
JOSEPH CASEY, NATHAN O'BRIEN,
ADAM POLASTRY, RONALD
CAMPURCIANI, JOHN/JANE DOES (current
or former employees of the City of West
Springfield), and MIIA PROPERTY
AND CASUALTY GROUP, INC.
Defendants.

Civil Action No.: 3:20-cv-10628-MGM

**ASSENTED TO MOTION OF THE DEFENDANT,
MIIA PROPERTY AND CASUALTY GROUP, INC.
TO SEVER AND STAY ALL PROCEEDINGS AGAINST IT**

Now comes the Defendant, MIIA Property and Casualty Group, Inc. ("MIIA"), and hereby moves to sever and stay the proceedings in this action against it as alleged in Count IX of the Plaintiff's Third Amended Complaint until the underlying claims by Plaintiff against the remaining Defendants are resolved. This motion has been assented to by all parties.

The Plaintiff's claims against MIIA for alleged violations of M.G.L. c. 93A/176D in this action are premature and not ripe for adjudication. The Plaintiff must first establish and prove his liability action against the Defendants. Moreover, the claims alleged against the Co-Defendants are factually and legally distinct from the single claim for 93A/176D violations against MIIA, which weighs in favor of severing and staying this single count. Additionally, discovery should be stayed to avoid extreme prejudice to MIIA and its governmental insurance group members, the remaining Defendants, through the discovery of MIIA's claims-handling information. In support

of its motion, MIIA relies upon the attached Memorandum of Law.

In further support, the Defendant, MIIA states that the Plaintiff and Co-Defendants have assented to this Motion. MIIA, certifies that until dismissal of this action or further order of the Court, it will preserve its file concerning Plaintiff's claims, including all documents and information related in any way to the claims.

WHEREFORE, the Defendant, MIIA, respectfully requests that this Court sever and stay the claims asserted by the Plaintiff against MIIA in Count IX of the Plaintiff's Third-Amended Complaint.

Dated: July 6, 2020

Respectfully submitted,
The Defendant,
MIIA Property & Casualty Group, Inc.,
By its attorneys,

/s/ Arthur E. Maravelis

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Assented to:

/s/ Michael J. Grace

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Casey, Wolowicz, O'Brien & Campurciani)

CERTIFICATE OF SERVICE

I certify that on this 6th day of July, 2020, the within document was electronically filed through the ECF system and will be served electronically upon counsel of record:

s/ Arthur E. Maravelis

Arthur E. Maravelis (564673)